

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

THE EXCELLENT THE EXCELLENT RAJ K. PATEL,
from all capacities,

Plaintiff

v.

MICROSOFT CORPORATION,

Defendant

No. 2:24-cv-00130-JHC

Dated: January 30, 2024

PRO SE COMPLAINT

I, T.E., T.E. Mr. Raj K. Patel (*pro se*) (Rama CCCX), AA, BA, JD*, from the Basis of the United States, initiate this civil action against the Defendant Microsoft for its product Bing Search App over www.bing.com. Fox v. Rogers Bldg. Ventures, 978 N.E.2d 755 (Ind. Ct. App. 2012) (citing Erickson v. Pardus, 551 U.S. 89, 94 (2007) and Ind. T.R. 8(F)).

PARTIES

1. T.E., T.E. Mr. Raj K. Patel is the Plaintiff (*pro se*) and is a citizen and residence of Indianapolis, IN at 6850 East 21st Street, Indianapolis, IN 46219.
2. Microsoft is a registered foreign business from the State of Washington where it is also headquartered.
 - A. One Microsoft Way Redmond, Washington is the headquarters.
 - B. Satya Nadella is its Chairman & CEO.
 - C. The registered agent is Corporation Service Company, 300 Deschutes Way SE, Ste. 208 MC-CSC1, Tumwater, WA 98501.
 - D. Microsoft is a quasi-governmental organization.

STATEMENT OF FACTS

3. For all claims, the laws of Indiana govern per the Terms and Services.

Breach of Contract

4. On or around August 2022, Patel and Microsoft, through Bing Search, entered into an agreement by which Microsoft promised to present practically any public information in the world through Bing, including but not limited, to politically salient information like United Kingdom PM Sunak's *varna*/caste information.
5. Microsoft breached the agreement by not presenting, censoring or removing or relocating, PM Sunak's *varna*/caste information and not making it readily available in the regular and ordinary course of business.
6. Patel has fulfilled his obligations of the contract.
7. Microsoft caused Patel injuries including but not limited to burdening his free exercise of religion and subjective religious, political and intellectual pleasures, and burden on his own existence, anxiety, and depression and dissociative identity disorder ("DID").

Breach of the Doctrine Implied Covenant of Good Faith and Fair Dealing

8. Microsoft should have displayed PM Sunak's caste information on the front page because it does that for PM Modi of the Republic of India. Both the United Kingdom and the Republic of India are a part of the His Most Excellent Majesty King Charles III's Commonwealth. The failure to show PM Sunak's caste information caused a breach of the doctrine of implied covenant of good faith and fair dealing.

9. Patel relied on Microsoft's Bing Search App even more than usual because Google's Google Search or any other of Google's product did not display Sunak's varna/caste information and because Bing displayed PM Modi's varna/caste information.
10. Microsoft caused Patel injuries including but not limited to burdening his free exercise of religion and subjective religious, political and intellectual pleasures, and burden on his own existence, anxiety, and depression and dissociative identity disorder ("DID").

Fraud in the Inducement

11. Plaintiff incorporates the paragraphs above.
12. Microsoft acted intentionally and with knowledge of fraud in the inducement of contract formation, against mutual assent and meeting of the minds, because Microsoft stated the terms with complete disregard to the truth or mental state of its intent.
13. Patel justifiably relied on Microsoft, especially because PM Modi's varna/caste information was presented by Microsoft Bing.

Fraud

14. Plaintiff incorporates the paragraphs above.
15. Fraud was also committed under the contract by intentionally acted with complete disregard to the truth.
16. The terms are valid sufficiently applicable to PM Sunak because he is a public figure and a private person with little to no interaction with the internet.
17. Patel justifiably relied on Microsoft, especially because PM Modi's varna/caste information was published or presented by Microsoft Bing.

Products Liability

18. Plaintiff incorporates the paragraphs above.

19. Microsoft stated with all reasonable reliance and understand that Bing Search App will display PM Sunak's varna and caste information. As of January 30, 2024, PM Sunak's caste information is still not needly published by Bing as PM Modi's.

Breach of Warranty

20. Plaintiff incorporates the paragraphs above.

21. Microsoft has failed to publish PM Sunak's varna and caste information for over a year.

22. Microsoft's "as is," "with all faults," and "as available" warranty clause do not waive intentional discrimination or disparate treatment of public figures such as prime ministers or using its own hand in giving preference in publishing, censoring, restricting, or spinning information, including but not limited to, PM Sunak's varna/caste information.

23. Wherefore plaintiff demands judgment against defendant in dollars, interest, and costs.

Strict Liability – The Law Merchant

24. Plaintiff incorporates the paragraphs above.

Negligent Breach of the Int'l Convent of Civil and Political Rights

25. Plaintiff incorporates the paragraphs above.

26. Microsoft failed to perform acts that a person of ordinary prudence would have done under the same or similar circumstances because it did not display PM Sunak's social/varna/caste origin information.

27. The acts or omissions caused or contributed to the cause of the plaintiff's injuries by burdening his free exercise of religion and subjective religious, political and intellectual pleasures whereby causing anxiety and depression and dissociative identity disorder.

Breach of the Indiana R.F.R.A.

28. Plaintiff incorporates the paragraphs above.

29. Microsoft unduly burdened Patel's free exercise of religion by not ensuring that Sunak's varna/caste information was provided.

30. Wherefore plaintiff demands judgment against defendant in dollars, interest and costs including but not limited to justifiable reliance damages.

Breach of the United States R.F.R.A.

31. Plaintiff incorporates the paragraphs above.

32. Microsoft unduly burdened Patel's free exercise of religion by not ensuring that PM Sunak's varna/caste information was provided. Microsoft has no compelling governmental interest.

33. Microsoft's actions caused Patel injuries, including mental pain and suffering, DID, depression and anxiety.

DEMAND FOR RELIEF

WHEREFORE plaintiff demands judgment against defendant in the sum of dollars \$336,000,000 to \$7 billion (seven billion dollars) (\$1 per person in the world), interest, and costs and any other remedy the court seems fit:

34. Plaintiff incorporates the paragraphs above.

35. All claims come with parasitic damages, compensatory damages, expectation damages, restitution damages, reliance damages, punitive damages, and mental pain and suffering damages.

36. Order Microsoft to display PM Sunak's varna/caste information on Bing Search App.

From the Basis of the United States,

/s/ Raj K. Patel

T.E., T.E. Mr. Raj K. Patel, AA, BA, JD* (*Pro Se*)

6850 East 21st Street

Indianapolis, IN 46219

317-450-6651 (cell)

317-740-8001 (cell)

rajp2010@gmail.com

www.rajpatel.live

T.E. Mr. President/Student Body President, Student Gov't Ass'n of Emory U., Inc. 2013-2014 (corp. sovereign 2013-present)

T.E. Mr. Student Body President, Brownsburg Cmty. Sch. Corp./President, Brownsburg High Sch. Student Gov't 2009-2010 (corp. sovereign 2009-present)

Rep. from the Notre Dame L. Sch. Student B. Ass'n to the Ind. St. B. Ass'n 2017

Deputy Regional Director, Young Democrats of Am.-High Sch. Caucus 2008-2009

Co-Founder & Vice Chair, Ind. High Sch. Democrats 2009-2010

Vice President of Fin. (Indep.), Oxford C. Republicans of Emory U., Inc. 2011-2012

Intern, Jill Long Thompson for Governor (2008)

Volunteer, Barack Obama for Am. (2008)

Intern, Marion Cnty. Clerk Elizabeth "Beth" White for Sec'y of St. of the St. of Ind. (2014)

*Former J.D. Candidate, Notre Dame L. Sch. (2015-2017)

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing *Pro Se* Complaint, Summons, and Motion for IFP on 1/30/2023 to below individuals via the FedEx to the registered business agent:

Microsoft Corporation

c/o Corporation Service Company
300 Deschutes Way SE, Ste. 208 MC-CSC1
Tumwater, WA 98501

Dated: January 30, 2024

Respectfully submitted,

/s/ Raj Patel
T.E., T.E. Raj K. Patel (*Pro Se*)
6850 East 21st Street
Indianapolis, IN 46219
317-450-6651 (cell)
317-740-8001 (cell)
rajp2010@gmail.com
www.rajpatel.live